IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY _____ D.C.
05 AUG 29 PM 2:49

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

STEPHANIE SIMMONS, Plaintiff/Counter-Defendant, v. ALLSTATE INSURANCE COMPANY, Defendant/Counter-Plaintiff. ALLSTATE INSURANCE COMPANY, Petitioner, v. STEPHANIE SIMMONS and WASHINGTON MUTUAL FINANCE GROUP, LLC f/k/a WASHINGTON MUTUAL BANK, FA, Respondents.	)	04-2075 Ml/P

ORDER FOLLOWING STATUS CONFERENCE

A status conference in this case was held on August 25, 2005. Representing Stephanie Simmons at the conference was Linley Richter. Representing Defendant Allstate Insurance Company was David Waldrop, who appeared via telephone. Representing Washington Mutual Finance Group, LLC f/k/a Washington Mutual Bank, FA was John Wilson.

In accordance with the Response of Washington Mutual Finance

This document entered on the docket sheet in compliance with Rule 58 and/or 79(a) FRCP on 8-29-05

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Group, LLC to the Petition for Interpleader, Washington Mutual Finance Group represented that it had no claims in the proceeds of the settlement between Allstate and Ms. Simmons, and also represented that it has no claims averse to Ms. Simmons.

The Court determined that Allstate had not deposited the settlement proceeds of $73,000 with the Clerk of the Court, as ordered at the conference of July 25, 2005. Counsel for Allstate agreed to deposit those funds, which are to be delivered by personnel from counsel's office.[1] It was further agreed that Allstate will pay the court costs in the case.

The question of to whom the deposited funds should be disbursed will be presented by Plaintiff's counsel for determination in Plaintiff's currently pending bankruptcy case. Upon receipt of an order of the Bankruptcy Court, the funds deposited with the court will be disbursed and the case dismissed with prejudice.

So ORDERED this 29th day of August, 2005.

JON P. McCALLA
UNITED STATES DISTRICT JUDGE

[1]The funds have now been delivered to the clerk's office.

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF TENNESSEE

Notice of Distribution

This notice confirms a copy of the document docketed as number 36 in case 2:04-CV-02075 was distributed by fax, mail, or direct printing on August 29, 2005 to the parties listed.

John S. Wilson
WYATT TARRANT & COMBS
1715 Aaron Brenner Dr.
Ste. 800
Memphis, TN 38120--436

Dee Shawn Peoples
LAW OFFICE OF R. LINLEY RICHTER, JR.
100 N. Main St.
Ste. 2909
Memphis, TN 38103

David M. Waldrop
HOLLEY WALDROP NEARN & LAZAROV
9032 Stone Walk Place
Germantown, TN 38138

R. Linley Richter
LAW OFFICE OF R. LINLEY RICHTER, JR.
100 N. Main St.
Ste. 2909
Memphis, TN 38103

Johnny Quitman Rasberry
LAW OFFICE OF JOHNNY RASBERRY
100 N. Main St.
Ste. 2909
Memphis, TN 38103

Honorable Jon McCalla
US DISTRICT COURT